



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Laird Broadfield, et al.
Serial No.: 09/087,388
Group Art: 3615
Filed: May 29, 1998
Title: SYSTEM AND APPARATUS FOR THE DISPENSING OF DRUGS
Attorney Docket: 1170-071

Commissioner of Patents and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 (A)

Date of Deposit: October 15, 1998

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Sheri L. Emmons
Sheri L. Emmons

PETITION TO CORRECT INVENTORSHIP
UNDER 37 CFR § 1.48(a)

Applicants respectfully request permission to enter the enclosed Preliminary Amendment in the instant patent application. The Amendment requested would address a correction in the inventorship of the patent application under 37 CFR § 1.48(a). The Amendment will add the names of two (2) inventors who were not initially listed as inventors of the invention being claimed. An inadvertent error in inventorship was made when this application was filed, such error was made without deceptive intent. Applicants became aware of this error on or about July, 1998 while reviewing the Filing Receipt for the instant application. The original named inventors, did not have a complete understanding of the legal definition of "inventor" at the time

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of filing this application, and at that time believed they were the only inventors. Only after the Filing Receipt was received and further discussions were held was it discovered that two additional inventors should have been added.

Applicants respectfully request that Joseph M. Calabro and William Conrad be added as inventors in the instant application.

Applicants respectfully request the recommendation of the Primary Examiner and the approval of the Commissioner to enter the Preliminary Amendment to correct inventorship being filed herewith.

A Declaration and Power of Attorney document signed by all inventors is also enclosed as required by 37 CFR § 1.63.

Accompanying this Petition is a Verified Statement by Laird Broadfield, Patricia M. Lee, Paul M. Seelinger, David T. Heffron, Albert W. Dibelka, John J. Rodenrys and Robert J. Feeney, the original named inventors, setting forth when the error was discovered and how the error occurred.

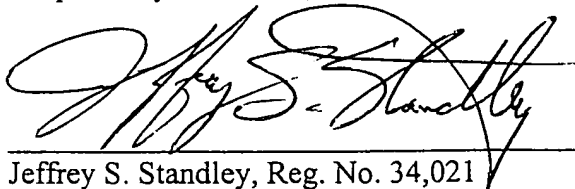
Our check in the amount of \$130.00 is enclosed to cover the prescribed fee under 37 CFR § 1.17(h).

Date:

8/14/98

By:

Respectfully submitted,



Jeffrey S. Standley, Reg. No. 34,021
Standley & Gilcrest
495 Metro Place South, Suite 210
Dublin, Ohio 43017
Telephone: (614) 792-5555
Facsimile: (614) 792-5536



DECLARATION
AND
POWER OF ATTORNEY

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe we are the joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND APPARATUS FOR THE DISPENSING OF DRUGS the specification of which

(check one) ☐ is attached hereto.

☒ was filed May 29, 1998 as
Application Serial No. 09/087,388
and was amended on _____ (if applicable)

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of the invention claimed in this application, in accordance with Title 37, Code of Federal Regulations, §1.56(a) and (b).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			Priority Claimed	
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/087,388)
Group Art Unit: 3615)
Filing Date: May 29, 1998) **PATENT**
Examiner: (Not assigned))
Inventors: Broadfield et al.)
Title: SYSTEM AND APPARATUS FOR THE)
DISPENSING OF DRUGS)
Attorney Docket No.: 1170-071)

Consent of Assignee

This patent application has been assigned by all of the inventors to Pyxis Corporation and a copy of the Assignment is attached hereto. I am Executive Vice President of Pyxis Corporation and have the authority to authorize this consent on behalf of Pyxis Corporation. Pyxis Corporation hereby consents to the correction of inventorship in this patent application to add Joseph M. Calabro and William Conrad as inventors.

PYXIS CORPORATION

Date: August 6, 1998

By: 

George H. Bennett, Jr., Exec. Vice President

Full name of inventor _____

Albert W. Dibelka

Date _____

Residence Chula Vista, California

Citizenship United States of America

Post Office Address 566 Merlot Avenue, Chula Vista, California 91913

Full name of inventor _____

John J. Rodenrys

Date _____

Residence La Jolla, California

Citizenship United States of America

Post Office Address 2459 Darlington Row, La Jolla, California 92037

Full name of inventor _____

Robert J. Feeney

Date _____

Residence La Jolla, California

Citizenship United States of America

Post Office Address 5611 Bellevue Avenue, La Jolla, California 92037

Full name of inventor Joseph M. Calabro
Date _____
Residence Del Mar, California
Citizenship United States of America
Post Office Address 467 Avenida Primavera, Del Mar, California 92014

Full name of inventor _____
Date _____
Residence Encinitas, California
Citizenship United States of America
Post Office Address 770 Cole Ranch Road, Encinitas, California 92024

defined in Title 37, Code of Federal Regulation, §1.56(a) and (b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending abandoned)
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We hereby appoint Michael D. Steffensmeier, Reg. No. 37,735, of Cardinal Health, Inc., 5555 Glendon Court, Dublin, Ohio 43016, Telephone No. (614) 717-7861 and Jeffrey S. Standley, Reg. No. 34,021, of Standley & Gilcrest, 495 Metro Place South, Suite 210, Dublin, Ohio 43017, Telephone No. (614) 792-5555 our attorneys, with full power in each of them, of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence should be sent to the attention of **Michael D. Steffensmeier** at Cardinal Health, Inc., 5555 Glendon Court, Dublin, Ohio 43016.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Full name of inventor Laird Broadfield

Date _____

Residence San Diego, California

Citizenship United States of America

Post Office Address 12766 Torrey Bluff #114, San Diego, California 92130



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Sheri L. Emmons
~~Molly Decker~~ Sheri L. Emmons

**Verified Statement of Laird Broadfield, Patricia M. Lee,
Paul M. Seelinger, David T. Heffron, Albert W. Dibelka,
John J. Rodenrys and Robert J. Feeney 37 CFR § 1.48(a)**

We, Laird Broadfield, Patricia M. Lee, Paul M. Seelinger, David T. Heffron, Albert W. Dibelka, John J. Rodenrys and Robert J. Feeney do hereby state:

1. that we were the original named inventors of the above-identified application;
2. that at the time the application was filed on May 29, 1998 we were unaware there were other co-inventors on this application;
3. that at the time of filing the application we did not have a complete understanding of the legal definition of "inventor" and at that time we believed we were the only inventors;
4. that on or about July, 1998 after the Filing Receipt for the instant application was received, we learned the proper definition of an inventor for patent. We then realized that we had incorrectly identified ourselves as the only inventors and that Joseph M. Calabro and William Conrad should have been listed as co-inventors with us on this application; and

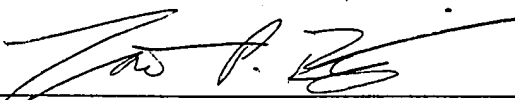
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5. that the omission of Joseph M. Calabro and William Conrad was an oversight and such error was made without deceptive intent.

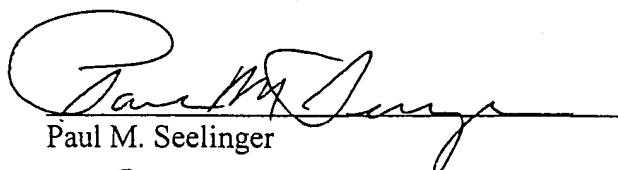
We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 19, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Laird Broadfield

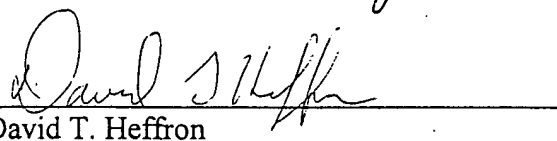
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Date

Patricia M. Lee

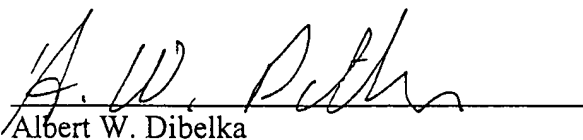
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Paul M. Seelinger

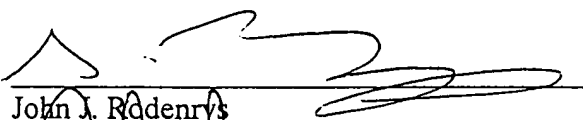
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David T. Heffron

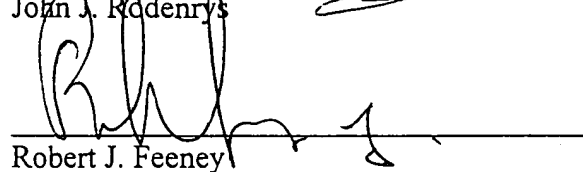
10/6/98
Date


Albert W. Dibelka

10/6/98
Date


John J. Rodenrys

10/6/98
Date


Robert J. Feeney

10/12/98
Date



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Sheri L. Emmons
Molly Decker Sheri L. Emmons

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John J. Rodenrys and Robert J. Feeney 37 CFR § 1.48(a)

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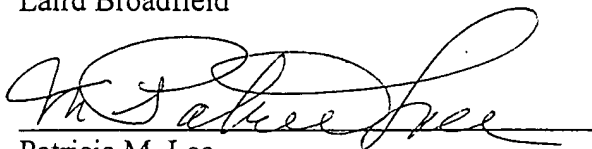
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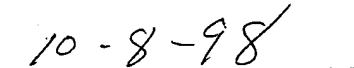
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Laird Broadfield

Date



Patricia M. Lee



Date

Paul M. Seelinger

Date

David T. Heffron

Date

Albert W. Dibelka

Date

John J. Rodenrys

Date

Robert J. Feeney

Date



DECLARATION
AND
POWER OF ATTORNEY

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We believe we are the joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND APPARATUS FOR THE DISPENSING OF DRUGS the specification of which

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Prior Foreign Application(s)

Priority
Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<div style="display: inline-block; text-align: center; width: 40px;">[] Yes</div> <div style="display: inline-block; text-align: center; width: 40px;">[] No</div>
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defined in Title 37, Code of Federal Regulation, §1.56(a) and (b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

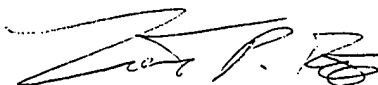
(Filing Date)

(Status)
(patented, pending
abandoned)

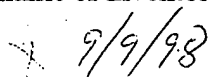
We hereby appoint Michael D. Steffensmeier, Reg. No. 37,735, of Cardinal Health, Inc., 5555 Glendon Court, Dublin, Ohio 43016, Telephone No. (614) 717-7861 and Jeffrey S. Standley, Reg. No. 34,021, of Standley & Gilcrest, 495 Metro Place South, Suite 210, Dublin, Ohio 43017, Telephone No. (614) 792-5555 our attorneys, with full power in each of them, of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence should be sent to the attention of **Michael D. Steffensmeier** at Cardinal Health, Inc., 5555 Glendon Court, Dublin, Ohio 43016.

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Full name of inventor



Date



Laird Broadfield

Residence San Diego, California

Citizenship United States of America

Post Office Address 12766 Torrey Bluff #114, San Diego, California 92130

Full name of inventor

Patricia M. Lee

Patricia M. Lee

Date

10-8-98

Residence Chicago, Illinois

Citizenship United States of America

Post Office Address 880 N. Lake Shore Drive, Unit 9E, Chicago, Illinois 60611

Full name of inventor

Paul M. Seelinger

Date

Residence San Diego, California

Citizenship United States of America

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Full name of inventor

David T. Heffron

Date

Residence San Diego, California

Citizenship United States of America

Post Office Address 15238 Andorra Way, San Diego, California 92129

Full name of inventor Patricia M. Lee
Date X
Residence Chicago, Illinois
Citizenship United States of America
Post Office Address 880 N. Lake Shore Drive, Unit 9E, Chicago, Illinois 60611

Full name of inventor Paul M. Seelinger
Date 9/9/98
Residence San Diego, California
Citizenship United States of America
Post Office Address 11429 Scripps Creek Drive, San Diego, California 92131

Full name of inventor David T. Heffron
Date 9/9/98
Residence San Diego, California
Citizenship United States of America
Post Office Address 15238 Andorra Way, San Diego, California 92129

Full name of inventor

A. W. Dibelka
Albert W. Dibelka

Date

9/9/98

Residence Chula Vista, California

Citizenship United States of America

Post Office Address 566 Merlot Avenue, Chula Vista, California 91913

Full name of inventor

John J. Rodenrys
John J. Rodenrys

Date

9/9/98

Residence La Jolla, California

Citizenship United States of America

Post Office Address 2459 Darlington Row, La Jolla, California 92037

Full name of inventor

Robert J. Feeney
Robert J. Feeney

Date

5/14/98

Residence La Jolla, California

Citizenship United States of America

Post Office Address 5611 Bellevue Avenue, La Jolla, California 92037

Full name of inventor

Joseph M. Calabro

Date

9-9-98

Residence Del Mar, California

Citizenship United States of America

Post Office Address 467 Avenida Primavera, Del Mar, California 92014

Full name of inventor

William Conrad

Date

9-9-98

Residence Encinitas, California

Citizenship United States of America

Post Office Address 770 Cole Ranch Road, Encinitas, California 92024